



Docket No.: 203222US6PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

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RE: Application Serial No.: 09/647,378
Applicants: Itaru KAWAKAMI, et al.
Filing Date: October 17, 2000
For: INFORMATION PROCESSING APPARATUS AND
METHOD, AND PROGRAM STORAGE MEDIUM
Group Art Unit: 2137
Examiner:

SIR:

Attached hereto for filing are the following papers:

**PETITION UNDER 37 CFR 1.181 TO GRANT A FILING DATE
COPY OF DATE STAMPED FILING RECEIPT OF 10/17/00
COPY OF EXECUTED DECLARATION FILED 10/17/00 (3 pages)**

Our online credit card payment in the amount of is being made covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: : ATTN: Office of PCT Legal Administration

Itaru KAWAKAMI et al. : INT'L. APPLICATION NO.
PCT/JP00/00904

SERIAL NUMBER: 09/647,378 :
INT'L. FILING DATE

FILED: October 17, 2000 : 17 FEB 2000

FOR: INFORMATION PROCESSING APPARATUS AND METHOD, AND PROGRAM
STORAGE MEDIUM

**PETITION UNDER 37 C.F.R. 1.181 TO GRANT A
FILING DATE**

ASST. COMMISSIONER OF PATENTS & TRADEMARKS
BOX PCT
Alexandria, Virginia 22313

SIR:

Applicant respectfully petitions the Assistant Commissioner to grant a filing date for the above-identified application. The present application is a national stage filing under 35 U.S.C. 371 of PCT/JP00/00904. The application was filed in the U.S. PCT Designated/Elected Office on 28 September 2000 with an unexecuted declaration of the inventors. On October 17, 2000, Applicants filed an executed Rule 63 Declaration as well as the required surcharge as evidenced by the attached date-stamped filing receipt. A copy of the executed Declaration is also attached. The undersigned attorney of record hereby states that the copies being filed herewith are in fact true copies of the documents filed on October 17, 2000.

On 06 November 2000, a Notification of Missing Requirements was mailed together with a Notice of Defective Oath or Declaration which indicated that the original filed declaration was not executed in accordance with 37 CFR 1.66 or 37 CFR 1.68. It is believed that at that time the U.S. Office was not aware that Applicants had filed a proper Rule 63

Declaration on October 17, 2000. Applicants' new representative filed a response to the Notification of Missing Requirements on March 23, 2001 which inadvertently submitted a second duly executed Declaration together with the appropriate extension fee instead of properly filing a copy of the executed Declaration which was filed on October 17, 2000.

Applicants therefore believe that a filing date under 35 U.S.C. 371 of October 17, 2000 should be accorded to this application based on the evidence presented herewith. Since a Notice of Allowance was mailed on May 1, 2007, it is respectfully requested that a corrected Official Filing Receipt be issued at the earliest possible date so that the application may issue in a timely manner

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Registration No. 24,618
Surinder Sachar
Registration No. 34,423
Attorneys of Record

CUSTOMER NUMBER
22850

COPY

Serial/Precedence No. 09/647,378 L&L File No. KOIK-T0185 By: MM/SEO
In the Matter of the Application of: ITARU KAWAKAMI et al.
Title: INFORMATION PROCESSING APPARATUS AND METHOD, AND PROGRAM
Date Mailed: October 17, 2000 Due Date: --

the following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input checked="" type="checkbox"/> Transmittal Letter	<input type="checkbox"/> PCT Request / <u> </u> pages
<input type="checkbox"/> Patent Application	<input type="checkbox"/> Fee calculation sheet
<input type="checkbox"/> <u> </u> pgs. specification; <u> </u> pgs. claims	<input type="checkbox"/> Demand for Preliminary Examination / <u> </u> pages
<input type="checkbox"/> Drawing <u> </u> sheets <u> </u> formal <u> </u> informal	<input type="checkbox"/> Forms PCT/IB/301, 304, and 308
<input checked="" type="checkbox"/> Declaration/Claim of Priority	<input type="checkbox"/> Transmittal Letter to U.S. Designated/Elected Office
<input checked="" type="checkbox"/> Power of Attorney) Combined	<input type="checkbox"/> (DO/EO/US) Form PTO 1390
<input checked="" type="checkbox"/> Assignment w/ Form PTO-1595	<input type="checkbox"/> Copy of Int'l Appln. as filed including PCT Request, :
<input checked="" type="checkbox"/> Deposit Account Authorization (in duplicate)	<input type="checkbox"/> Specification, Claims, Abstract and Drawings
<input checked="" type="checkbox"/> Information Disclosure Statement, PTO-1449 w/ <u> </u> references	<input type="checkbox"/> Copy of Int'l Search Report in English/
<input checked="" type="checkbox"/> Check \$ <u>130.00</u>	<input type="checkbox"/> Certified copy/translation of <u> </u> Priority
<input type="checkbox"/> Request for Extension of Time (<u> </u> months)	<input type="checkbox"/> Appn. # <u> </u> filed <u> </u>
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Copy of Published International Application
<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Copy of International Search Report
<input type="checkbox"/> Letter to Official Draftsman	<input type="checkbox"/> Petition for <u> </u>
<input type="checkbox"/> Certificate under §3.73(b)	<input type="checkbox"/> Other: <u> </u>
<input type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> <u> </u>
<input type="checkbox"/> Express Mail Certificate No. <u>EL387334918US</u>	<input type="checkbox"/> <u> </u>

525 Rec'd PCT/PTO 17 OCT 2000

Atty Docket No. KOIK-T0185**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INFORMATION PROCESSING APPARATUS AND METHOD, AND PROGRAM STORAGE MEDIUM

the specification of which (check one) ☐ is attached hereto or ☒ was filed on February 17, 2000 (International Filing Date) as International Application no. PCT/JP00/00904 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
			Yes	No
<u>P11-039218</u>	<u>Japan</u>	<u>17 February 1999</u>	<u>X</u>	<u> </u>
Number	Country	Day/Month/Year Filed		
<u>PCT/JP00/00904</u>	<u>PCT</u>	<u>17 February 2000</u>	<u>X</u>	<u> </u>
Number	Country	Day/Month/Year Filed		

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) below.

Application Number	Filing Date

Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: Patented, Pending, Abandoned

Application Number	Filing Date	Status: Patented, Pending, Abandoned

COPY

I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH:

Karl A. Limbach	18,689	Mark A. Dalla Valle	34,147	Kyla L. Harriel	41,816
George C. Limbach	19,305	Charles P. Sammut	28,901	Mayumi Maeda	40,075
John K. Uilkema	20,282	Mark C. Pickering	36,239	Kent J. Tobin	39,496
Neil A. Smith	25,441	Patricia Coleman James	37,155	Michael R. Ward	38,651
Veronica C. Devitt	29,375	Kathleen A. Frost	37,326	Roger S. Sampson	44,314
Ronald L. Yin	27,607	Alan S. Hodes	38,185	Tina Chen	P-44,606
Gerald T. Sekimura	30,103	Alan A. Limbach	39,749	Charles L. Hamilton	42,624
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Philip A. Girard	28,848	Brian J. Keating	39,520	Heath W. Hoglund	41,076
Michael J. Pollock	29,098	Seong-Kun Oh*		William G. Goldman	42,590
Stephen M. Everett	30,050	Cameron A. King	41,897	J. Thomas McCarthy	22,420
Alfred A. Equitz	30,922			Joel G. Ackerman	24,307

* Recognition under 37 CFR 10.9(b)

Send correspondence to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor ITARU KAWAKAMI

Inventor's signature *Itaru Kawakami* September 25, 2000
Date

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Inventor's signature *Ryuji Ishiguro* September 26, 2000
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Full name of third joint inventor, if any, MITSURU TANABE

Inventor's signature *Mitsuru Tanabe* September 25, 2000
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Full name of fourth joint inventor, if any, YUICHI EZURA

Inventor's signature Yuichi Ezura Date September 25, 2000

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